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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,678	09/17/2004	Yasushi Matsutaka	258635US2PCT	6780

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EXAMINER
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DOAN, PHUOC HUU

ART UNIT	PAPER NUMBER
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2687

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/506,678

Applicant(s)

MATSUTAKA, YASUSHI

Examiner

PHUOC H. DOAN

Art Unit

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-14 is/are rejected.
- 7) ☒ Claim(s) 4-5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>01/26/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **1-3, and 8-10** are rejected under 35 U.S.C. 102(e) as being anticipated by **Kumagai (US Pub No: 2002/0029246)**.

**As to claim 1**, Kumagai discloses a communication apparatus “**Fig.1**” which has a function of storing an incoming-call history of a received call in a call register memory (page 5, par. [0072-0074]), comprising: a setting information memory for recording setting information for setting up control relating to the incoming-call history (page 5, par. [0074-0075]); and a call register control part for controlling the incoming-call history stored in the call register memory (page 5, par. [0078]), based on the setting information recorded in the setting information memory (page 6, par. [0080], and [0083-0084]).

**As to claim 2**, Kumagai further discloses the communication apparatus of claim 1, wherein the setting information includes a deletion setting of indicating either one of deleting the incoming-call history and leaving the incoming-call history (page 7, par. [0090-0093]), and a caller's phone number setting of indicating whether to store a caller's phone number for specifying a caller in the call register memory (page 6, par. [0083-0084]), as the incoming-call history, and the call register control part deletes the incoming-call history in the case it is set in the deletion setting to delete the incoming-call history (page 7, par. [0096]), acquires the caller's phone number from the incoming-call history in the case it is set in the deletion setting to leave the incoming-call history (page 6, par. [0084]), stores the caller's phone number and time of call in the call register memory in the case it is set to leave the caller's phone number in the caller's phone number setting (page 6, par. [0086-0087]), and stores the time of call in the call register memory in the case it is set in the caller's phone number setting not to store the caller's phone number in the call register memory and in the case the caller's phone number can not be acquired (page 7, par. [0090-0093], and [0096-0097]).

**As to claim 3**, Kumagai further disclose the communication apparatus of claim 2, further comprising: a phone book memory for registering a telephone number for specifying a communication party (page 5, par. [0074]), and wherein the call

register control part judges if the caller's phone number has been registered in the phone book memory (page 6, par. [0082]), and stores the caller's phone number and the time of call in the call register memory in the case the caller's phone number has been registered in the phone book memory (page 6, par. [0080-0082]).

**As to claim 8**, Kumagai further discloses the communication apparatus of claim 2, wherein the call register control part further includes a display part for acquiring the incoming-call history stored in the call register memory and displaying an acquired incoming-call history (page 7, par. [0090-0091]), and the call register control part examines the incoming-call history displayed by the display part (page 6, par. [0082]), and deletes an examined incoming-call history from the call register memory based on the setting information (page 7, par. [0090-0094]).

**As to claim 9**, Kumagai discloses an incoming-call history deletion method executed by a communication apparatus “**Fig. 1**” which has a function of storing an incoming-call history of a received call in a call register memory (page 5, par. [0072-0074]), for deleting a stored incoming-call history from the call register memory (page 7, par. [0090-0091], and [0094]), comprising: recording setting information for setting up control relating to the incoming-call history in a setting information memory (page 5, par. [0074-0075], and page 7, par. [0096]), judging if the incoming-call history is to be stored (page 5, par. [0078]), based on the setting

information recorded in the setting information memory (page 6, par. [0080], and [0083-0084]), and deleting the incoming-call history from the call register memory (page 7, par. [0090-0091], and [0094]), based on a **judging result** (page 8, par. [0101] **based on the user's instruction via the input section 120**) .

As to **claim 10**, Kumagai further discloses the incoming-call history deletion method of claim 9, the recording the setting information in the setting information memory records (page 5, par. [0074-0075]), as the setting information, at least a deletion setting of indicating either one of deleting the incoming-call history and leaving the incoming-call history (page 7, par. [0090-0094]), and a caller's phone number setting of indicating whether to store a caller's phone number for specifying a caller (page 6, par. [0080]), in the call register memory as the incoming-call history (page 6, par. [0082-0083]), and the storing the incoming-call history in the call register memory deletes the incoming-call history in the case it is set in the deletion setting to delete the incoming-call history (page 7, par. [0090-0094]), acquires the caller's phone number from the call in the case it is set in the deletion setting to leave the incoming-call history (page 7, par. [0090-0094]), stores the caller's phone number and time of call in the call register memory in the case it is set to leave the caller's phone number in the caller's phone number setting (**"Fig. 2B, stores the caller's phone number and time of call"**), and stores the

time of call in the call register memory in the case it is set in the caller's phone number setting not to store the caller's phone number in the call register memory and in the case the caller's phone number can not be acquired (page 7, par. [0097-0097]).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **6-7, and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumagai in view of **Hama (US Pub No: 2005/0090290)**.

**As to claim 6**, Kumagai discloses the communication apparatus of claim 2, further comprising: a phone book memory for registering a telephone number for specifying a communication party (page 5, par. [0074-0075]), and a display part for acquiring the incoming-call history stored in the call register memory (page 5, par. [0073-0075]), displaying an acquired incoming-call history (page 5, par. [0075-0078]), in the case the caller's phone number included in the acquired incoming-call history has been registered in the phone book memory (page 6, par.

[0080-0082]), displaying the caller's phone number and in the case the caller's phone number has not been registered in the phone book memory (page 6, par. [0083]), not displaying the caller's phone number.

However, Kumagai does not specifically disclose that not display the caller's phone number.

In the same field of invention, Hama specifically discloses in the case the caller's phone number has not been registered in the phone book memory (page 8, par. [0142]), not displaying the caller's phone number (page 11, par. [0198]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the caller's phone number has not been registered in the phone book memory as taught by Hama to the system of Kumagai in order to have a display control.

**As to claim 7**, the combination of Kumagai and Hama further disclose the communication apparatus of the claim 6, wherein, for an incoming-call history whose caller's phone number is not displayed (Fig. 3, page 7, par. [0126], and page 11, par. [0198] of Hama), in displayed incoming-call histories, the display part receives an instruction to refer to the caller's phone number, and displays the incoming-call history including the caller's phone number based on a received instruction (page 8, par. [0134-0135], and [0149] of Hama), and the call register



control part extracts an incoming-call history for which the display part does not display a caller's phone number and did not receive the instruction to refer to the caller's phone number (page 11, par. [0183-0184] of Hama), and deletes an extracted incoming-call history from the call register memory (page 7, par. [0119] of Hama).

**As to claim 13**, Kumagai further disclose the communication apparatus of claim 11, comprising an operation part for starting a display function of the display part (page 5, par. [0075-0078]), the telephone number can be displayed on the displayed part (page 5, par. [0073-0075]). However, Kumagai does not disclose wherein, when an incoming-call history whose telephone number is not displayed on the display part is specified by an operation of the operation part (page 11, par. [0198]), out of incoming-call histories of received calls (page 11, par. [0183-0184], and [0198]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an incoming call history whose telephone number is not displayed part as taught by Hama to the system of Kumagai in order to have a display control.

5. Claims **11-12, and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumagai in view of **Knoble (US Pub No: 2002/0068529)**.

As to **claim 11**, Kumagai discloses a communication apparatus comprising a call register memory for storing an incoming-call history including a telephone number of a received call (page 5, par. [0072-0074]), a display part for displaying the incoming-call history stored in the call register memory (page 5, par. [0074-0076]), a setting information memory for performing a control setting whether to store the telephone number of the received call on the display part as the incoming-call history (page 6, par. [0080], and [0083-0084]), in the case a ringing time period of the received call is shorter than a specific setting time period, and a call register control part for performing display control of the display part (page 5, par. [0075-0078]), based on the control setting stored in the setting information memory (page 6, par. [0080-0082]). However, Kumagai does not specifically disclose in the case a ringing time period of the received call is shorter than a specific setting time period.

In the same field of invention, Knoble specifically disclose in the case a ringing time period of the received call is shorter than a specific setting time period (page 2, par. [0024]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a ringing time period of the received call is shorter than a specific setting time period as taught by Knoble to the system of Kumagai in order to refuse any incoming call is not necessary to

answer.

**As to claim 12**, Kumagai further discloses the communication apparatus of claim 11, comprising a phone book memory for registering a telephone number for specifying a communication party (page 5, par. [0074]), and wherein the setting information memory displays the telephone number on the display part as the incoming-call history when the telephone number of the received call has been stored in the phone book memory (page 6, par. [0080-0082]).

**As to claim 14**, all the limitation of claim is rejected for the same reason as set forth in claim 11.

***Allowable Subject Matter***

6. Claims 4-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**As to claim 4**, the prior art of record does not disclose the communication apparatus of claim 2, further comprising: a phone book memory for registering a telephone number for specifying a communication party, and wherein the call register control part judges if the caller's phone number has been registered in the phone book memory, stores the caller's phone number and the time of call in the call register memory in the case the caller's phone number has been registered in

the phone book memory, and stores the caller's phone number and the time of call in the call register memory in the case the caller's phone number has not been registered in the phone book memory and in the case a ringing state continues for longer than a specific time period after incoming of the call.

**As to claim 5**, the prior art of record does not disclose the communication apparatus of claim 3, further comprising: a phone book memory for registering a telephone number for specifying a communication party, and wherein the call register control part judges if the caller's phone number has been registered in the phone book memory, and stores the caller's phone number and the time of call in the call register memory in the case the caller's phone number has been registered in the phone book memory and in the case a ringing state continues for longer than a specific time period after incoming of the call.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Tomimori (US Patent No: 6,456,841)** discloses “Mobile communication apparatus notifying user of reproduction waiting information effectively”.

**Kim (US Pub No: 2002/0141555)** discloses “Intelligent telephone set”.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUOC H. DOAN whose telephone number is 571-272-7920. The examiner can normally be reached on 9:30 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LESTER G. KINCAID can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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